

and 21 have been rejected under 35 U.S.C. §103(a) as being obvious over Viloet et al. in view of Bigus et al., Donnelly and U.S. Pat. No. 5,978,465 to Corduroy et al. After a careful review of the claims, it has been concluded that the rejections are in error and the rejections are, therefore, traversed.

2. Claims 1, 2, 4-11, 13-20 and 22-24 have been rejected as being obvious over Viloet et al. in view of Bigus et al. and Donnelly. In particular, the Examiner asserts that

"Regarding claims 1, 10, and 19 Vilsoet et al. discloses a method of processing calls in an automatic call distributor (Fig. 21), such method comprising the steps of: learning a set of desired resource relationships for servicing a plurality of call processing load conditions in the automatic call distributor (column 4, lines 53 to 58); and distributing resources of the automatic call distributor based upon call processor loading and the learned set of resource relationships (column 4, lines 32 to 52). What Viloet et al. does not disclose a neural network. However, as admitted by Applicant and as seen in Bigus et al. (U.S. Patent Number 5,155,763) and Donnelly (U.S. Patent Number 5,864,617), neural networks are well known in the art as being used in telecommunications networks. Therefore, it would have been an obvious design choice to one skilled in the art to have the system and method taught by Viloet et al. implemented in a neural network setting in place of a conventional switching/data network. Furthermore, if a system 'learns' a set of desired relationships, then inherently or at the least obviously, training occurs as well, otherwise, no 'learning' can occur."

It is noted, first, that the Examiner would appear to be mistaken in a number of regards. For example, the combination of Viloet et al, Bigus et al. and Donnelly fail to provide any teaching or suggestion of the method step of (or apparatus for) "distributing resources of the automatic call distributor based upon call processor loading and the training of the neural network". In this case, Viloet et al., Bigus et al. and Donnelly are all directed to methods of distributing calls. However, a call is not a resource of the automatic call distributor. At best, a call is an opportunity available to a owner of the automatic call distributor, but it is certainly not a resource of the automatic call distributor.

It is noted next that the claims are also directed to methods steps of (and apparatus for) "training a neural network with a set of desired resource relationships for servicing a plurality of call processing load conditions in the automatic call distributor". As admitted by the Examiner, "Viloet et al. does not disclose a neural network". Since Viloet et al. does not involve the use of a neural network there is no training of the Viloet system.

For example, Viloet explicitly refers to the Viloet process as a "call pacing algorithm" (Viloet et al., col. 4, lines 53-56). Newton's Telecom Dictionary (18<sup>th</sup> Ed.) defines "algorithm" as "A prescribed finite set of well defined rules or processes for the solution of a problem in a finite number of steps". Further, FIG. 2 of Viloet provides an explicit example of the call pacing algorithm with its finite set of well defined rules in a finite number of steps. Since Viloet et al. accomplishes its

objectives using a well defined algorithm, training is not relevant to Viloet et al.

Further, the term "training" has a well defined meaning in neural networks art. Moreover, as would be clear to those of skill in the art, the training of a neural network involves a well-defined process (see specification, page 13, line 27 to page 14, line 2).

Since Viloet does not use a neural network, it also not use training in the claimed context. Indeed, the only teaching or suggestion of training with regard to Viloet et al. would be the applicant's own specification, based upon hindsight reconstruction.

In addition, Viloet et al., Bigus et al. and Donnelly et al. all fail to meet the explicit limitations of the claims. For example, as noted above, the claims are limited to method steps of (and apparatus for) "training a neural network with a set of desired resource relationships for servicing a plurality of call processing load conditions in the automatic call distributor". In each case, Viloet et al., Bigus et al. and Donnelly are all drawn to different subject matter.

For example, even if Viloet et al. did teach neural networks (which it does not), Viloet et al. is directed to control of an outdialing system. Under Viloet et al. the "predictive outdial call pacing is adjusted so that the delay of outdialed calls placed in a queue is kept to a minimum" (Viloet et al., col. 1, lines 63-65). The minimization of delay of outdialed calls in a queue is a single-dimensional condition that is clearly different in scope and content from a process that involves "training a neural network with a set of desired resource relationships

for servicing a plurality of call processing load conditions" of the claimed invention. Since outdialed calls are not resources of the automatic call distributor, this claim element is clearly not taught or suggested by Viloet et al.

Similarly, Bigus et al. is directed to look-ahead predictive dialing. As with Viloet et al., look-ahead predictive dialing under Bigus et al. is a single-dimensional problem that is clearly different from processes that involves "training a neural network with a set of desired resource relationships for servicing a plurality of call processing load conditions" of the claimed invention. Since look-ahead calls are not resources of the automatic call distributor, this claim element is clearly not taught or suggested by Bigus et al.

Finally, Donnelly is directed to call queuing and distribution. As above, call queuing is a single-dimensional problem that is clearly different than processes that involves "training a neural network with a set of desired resource relationships for servicing a plurality of call processing load conditions" of the claimed invention. Since queued and distributed calls are not resources of the automatic call distributor, this claim element is clearly not taught or suggested by Donnelly.

For any of the above reasons, the combination of Viloet et al., Bigus et al. and Donnelly et al. do not teach each and every claim limitation as required by MPEP §2143.03. Since the combination fails to teach each and every claim limitation, the rejection is believed to be improper and should be withdrawn.

3. Allowance of claims 1-24, as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,

WELSH & KATZ, LTD.

By 

Jon P. Christensen

Registration No. 34,137

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WELSH & KATZ, LTD.  
120 South Riverside Plaza  
22nd Floor  
Chicago, Illinois 60606  
(312) 655-1500